

REMARKS

Claims 24-42 are pending in the present application. Claims 24-30 and 41 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,928,442 to Farber (hereinafter "Farber"). Claims 31, 37-39 and 42 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,584,564 to Olkin et al. (hereinafter "Olkin"). Claims 32, 33 and 36 stand rejected under 35 USC 103(a) as being unpatentable over Olkin in view of U.S. Patent No. 7,113,594 to Boneh et al. (hereinafter "Boneh"). Claims 34 and 35 stand rejected under 35 USC 103(a) as being unpatentable over Olkin and Boneh further in view of U.S. Patent No. 6,118,874 to Okamoto et al. (hereinafter "Okamoto"). Applicant respectfully disagrees with the Examiner's analysis of the pending claims. However, in order to advance prosecution, Applicant has replaced the pending claims with new claims 43-62. Applicant reserves the right to pursue the subject matter of the cancelled claims without prejudice or disclaimer in one or more continuation applications.

New claim 43 is directed to a method that permits authentication of data including, *inter alia*,

... (c) generating a single hash value of said first data file derived from said hash values of said plurality of stored data items;

(d) transmitting said single hash value to a remote location, via an information technology communications network;

(e) creating at said remote location a second data file comprising said single hash value and one or more additional data items relating to said single hash value;

(f) generating a hash value for said second data file; and

(g) publishing said hash value for said second data file in a journal for authenticating said second data file (emphasis added).

Nowhere does the cited prior art teach or suggest these features.

The Examiner points to col. 30, lines 43-46 of the Farber reference as teaching publication capability. Such analysis is clearly flawed as this reference describes a service that allows a processor to offer files in a predetermined “publish region” to any client processors for a limited period of time. It has nothing to do with **publishing** a hash value for a second data file **in a journal** for authenticating the second data file as recited in the claim. Advantageously, publication in a journal provides a public record of the hash value that ensures accurate and efficient authentication of the second data file as part of an audit trail. The Farber reference clearly does not provide such operations and the advantages that stem therefrom.

The dependent claims 44-53 are patentable over the cited prior art for those reasons advanced above with respect to claim 43 from which they respectfully depend and for reciting additional features that are neither taught or suggested by the cited prior art.

New claim 54 is directed to a method for of transmitting data between a first user and a second user via an information technology communications network that has features similar to claim 47, which include

- ... generating a first hash value for a selected one of the data items;
- digitally signing and encrypting said first hash value with a secret identifier associated with the first user;
- transmitting to a second user said encrypted first hash value;
- receiving and storing said transmitted encrypted first hash value for audit purposes and generating a second hash value for said received encrypted first hash value;

encrypting the second hash value with a private identifier associated with a second user and a public identifier associated with the first user; and returning the encrypted second hash value to the first user.

Nowhere does the cited prior art teach or suggest these features.

The dependent claims 55-62 are patentable over the cited prior art for those reasons advanced above with respect to claim 43 from which they respectfully depend and for reciting additional features that are neither taught or suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay P. Sbrollini". The signature is fluid and cursive, with the first name "Jay" being the most prominent.

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